

## STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Fairway Moving  
Services for Class E Certificate  
of Public Convenience and Necessity

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COPY

COVER SHEET

DOCKET

NUMBER: 2008-109-1

Dept: SA. /ORS

Date: 3/20/08

Time: 11:55

(Please type or print)

Submitted by: Michael S Nieruiewski / Fairway Moving Services

Address: 5063 Westwind Drive  
Myrtle Beach, SC 29579

SC Bar Number:

Telephone: 843-236-4185

Fax:

Other: 843-685-3651

Email: movealot2@yahoo.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input checked="" type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input checked="" type="checkbox"/> Other: Household goods mover	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

RECEIVED  
MAR 20 2008  
PSC SC  
DOCKETING DEPT.

825

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**  
**101 EXECUTIVE CENTER DRIVE**  
**COLUMBIA, SOUTH CAROLINA 29210**  
**(Mailing address: Post Office Box 11649, Columbia, SC 29211)**

**OFFICE # (803) 896-5100**

**FAX # (803) 896-5199**

CLASS E (HHG)

DATE February 19, 2008\_\_\_\_\_

**APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY FOR OPERATION OF MOTOR VEHICLE CARRIER**

Application is hereby made for a Certificate of Public Convenience and Necessity, in accordance with the provision of S.C. Code Ann., § 58-23-10, et seq. (1976), and amendments thereto.

1. Name under which business is to be conducted (corporation, partnership, or sole proprietorship, with or without trade name.) Michael S. Nierwienski dba

Fairway Moving Services

2. (a) Street Address of Applicant 5063 Westwind Drive Myrtle Beach, SC 29579

(b) Mailing address, if different from street address SAME

(c) Telephone Number 843-236-4185 Fed ID # \_\_\_\_\_

3. If incorporated, a copy of Articles of Incorporation must be attached. (If incorporated outside of S.C., need S.C. Secretary of State "Foreign Corporation" Certificate.) N/A

4. (a) If a partnership, names and addresses of all persons having an interest in the business.  
(b) If a corporation, names and addresses of two principal officers will be sufficient.

N/A

5. X(a) Class E -- the proposed rates and charges for service, rules and regulations governing same are included herewith, as set forth on Exhibit "A".  
(b) Class F -- Contracts are included herewith.

6. The proposed commodities to be transported and the area to be served, as set forth on Exhibit "C" included herewith. Household Goods

7. The proposed list of equipment is as per Exhibit "D" included herewith.

TBD- Plan to own 1 straight truck weighing less than 26000 lbs GVW. Value not to exceed \$20,000.

Also plan to lease 1 straight truck for all interstate moves.

Will buy pads and equipment such as dollies, tape, boxes and other items necessary to provide safe and professional moving services.

8. Applicant proposes to operate service applied for as follows: (Check one)  
(a) Intrastate Only X

9. **IMPORTANT!** If application is to request reinstatement, amend, sale, lease or otherwise transfer a certificate of PC&N, a current annual report shall be on file with the Commission **before** application will be accepted. Annual report form attached for your convenience. **If application is for a NEW CERTIFICATE, DO NOT SUBMIT ANNUAL REPORT.**

N/A

10. Is applicant certified to provide **intrastate** transportation of household goods in another state? Yes        No X (Check one).

*If yes, attach a letter from the regulatory agency in the State(s) stating applicant is in compliance with the rules and regulations of said state agency.*

11. Has applicant been convicted of operating with no **intrastate** household goods authority or failure to abide by the rules and regulations pertaining to the **intrastate** transportation of household goods in this state or any other state?  
Yes        No X (Check one)

*If yes, list dates and nature of convictions below.*

12. Has applicant ever had certificate authorizing the transportation of household goods revoked in this state or any other state?  
Yes        No X (Check one).

*If yes, list dates and reason for revocation below.*

- ## BALANCE SHEET

Month: Feb

Year:2008

14. Applicant is familiar with the provision of S.C. Code Ann., §58-23-10, et seq. (1976), and amendments thereto, and R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers (Vol.26, S.C. Code Ann., 1976), and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers (Vol. 23A, S.C. Code Ann., 1976) and amendments thereto, and hereby promises compliance therewith.

I, Michael S Nierwienski Owner,  
(Name of Applicant's Representative) (Title)  
of Fairway Moving Services, the Applicant for the Certificate of Public Convenience  
and Necessity as (Applicant)

set forth in the foregoing, swear or affirm that all statements contained in the above Application are true and correct  
SWORN TO BEFORE ME

At 3766 Renee Dr Myrtle Beach SC

This the 19th day of February 2008

[Signature]  
(Notary Public)

Michael S. Merriam  
(Signature of Applicant's Representative)

Commission Expires: My Commission Expires  
November 1, 2016

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**POST OFFICE DRAWER 11649  
COLUMBIA, SC 29211**

**Fairway Moving Services**

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**(APPLICANT)**

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**5063 Westwind Drive Myrtle Beach, SC 29579**

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**(ADDRESS)**

**Proposed Rates and Charges for Services**

**And Rules and Regulations Governing Same are as Follows:**

**A 2 hour minimum will apply to all moves.**

**Hourly rate will be billed from time of arrival to time of departure.**

**2 men and 1 truck= \$90.00 hr**

**3 men and 1 truck =110.00 hr**

**Travel charges will apply to all moves and will be estimated during pre move interview. One hour of travel time will be billed at the same rate as the hourly move rate. ½ hour of travel time will be billed at ½ the hourly move rate.**

**4 or more movers requires a 2<sup>nd</sup> vehicle.**

**The charge for each additional mover is \$20.00 hr and a flat rate for the 2<sup>nd</sup> vehicle.**

**The flat rate will be determined by the distance traveled.**

**\$25.00 minimum charge for the 2<sup>nd</sup> vehicle but not more than \$75.00 for distances less than 50 miles.**

**These rates are for local moves only. Local move will be defined as 50 miles or less.**

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**Post Office Drawer 11649  
Columbia, South Carolina 29211**

**Fairway Moving Services**

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**(Name)**

**5063 Westwind Drive Myrtle Beach, SC 29579**

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**(Address)**

**Over Irregular Routes:**

**Commodities to be Transported:**

**Household Goods, As Defined in R. 103-210(1):**

**Area to be Served: (List counties in detail)**

**Horry  
Georgetown**

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**Fairway Moving Services  
(Applicant)**

**Date: Feb15, 2008**

**Michael S Nierwienski  
By**

**Owner  
Title**

## PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

## DESCRIPTION OF EQUIPMENT

MAKE	MODEL & YEAR	VIN #	WEIGHT EMPTY	CARRYING CAPACITY *
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TBD 15,000lbs <26000 Non CDL

International 4700 2001 1HTSCAAM31H381212

- Seats if passenger carrier or tonnage if freight carrier.

Fairway Moving Services

(Applicant)

Date: Feb 15, 2008

Michael S Nierwienski

(Applicant's Representative)

Owner

(Title)



## EXHIBIT FWA

Name: Fairway Moving Services

Address: 5063 Westwind Drive Myrtle Beach, SC 29579

Telephone No. 843-236-4185

Fax No. \_\_\_\_\_

U.S.D.O.T. No. 1725600

ICC No. MC-632387

1. Does Applicant have a Safety Rating from the U.S.D.O.T.?

Yes \_\_\_\_\_ No X Pending \_\_\_\_\_ (Submit when received)

(If "yes", indicate rating and provide copy)

Satisfactory \_\_\_\_\_

Conditional \_\_\_\_\_

Unsatisfactory \_\_\_\_\_

2. Have any of Applicant's drivers or vehicles been placed "out of service" by Transport Police safety officers in the past twelve (12) months?

Yes \_\_\_\_\_ No X

3. Are there currently any outstanding judgement(s) against Applicant?

Yes \_\_\_\_\_ No X

(If "yes", indicate nature of judgement(s).)

4. Is Applicant familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and does applicant agree to operate in compliance with these statutes and regulations?

Yes X No \_\_\_\_\_

5. Is the Applicant aware of the Commission's insurance requirements and the insurance premium costs associated therewith?

Yes X No \_\_\_\_\_

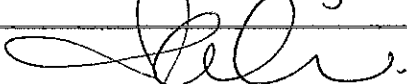
*(The attached Insurance Quote form must be completed, listing current insurance premiums. At the discretion of the Commission, a copy of current insurance policies may be required. Do not provide copy of insurance policies unless requested.)*

Michael S. Mervin  
(Applicant's Signature)

Sworn to before me

At 3766 Renee Dr Myrtle Beach SC 29579

This 20th day of February, 2008



(Notary Public)

Commission Expires: My Commission Expires  
November 1, 2016

## INSURANCE QUOTE

The following insurance quote is for:

Fairway Moving Services

(Name of Motor Carrier)

5063 Westwind Drive Myrtle Beach SC 29579

(Address of Motor Carrier)

### Amount of Premium:

### Limits Quoted (See Below):

Liability Insurance    \$ 750                      Limits    2,000,000

Cargo Insurance        \$ 1500                      Limits    250,000

\* Attach Certificate of Insurance if available.

Harleysville Mutual Insurance Company

(Insurance Company Name)

355 Maple Ave Harleysville, PA 19438-2297

(Home Office Address of Company)

(AGENT)

Harold W Wells + Son Inc.

P O Box 2320

Wilmington, NC 28402

is familiar with the Commission's Rules and Regulations relating to insurance requirements and the above quote meets the minimum insurance limits prescribed. The insurance company making this quote is authorized by the South Carolina Department of Insurance to do business in South Carolina.

Mar 14, 2008

Date

Tony Pagrabs / Tony Pagrabs

(Authorized Insurance Company Representative)

❖ *Commercial Insurance Proposal*

*Effective April 1, 2008 to April 1, 2009*

Fairway Moving Services  
5063 Westwind Drive  
Myrtle Beach, SC 29579

*Presented by:*

Tony Pagrabs, ARM

**Harold W. Wells & Son, Inc.**  
*Insurance*

established 1920

P. O. Box 2320  
Wilmington, NC 28402  
910-762-8551  
[www.hwwells.com](http://www.hwwells.com)

March 6, 2008

# Fairway Moving Services

## ❖ *Commercial General Liability*

**Insurer:** Harleysville Mutual Insurance Company

**AM Best Rating:** A- XII

**Coverage:** This policy provides payment that the insured becomes legally obligated to pay as damages because of 'bodily injury' or 'property damage' to which this insurance applies.

<b>Limits:</b>	General Aggregate	\$	2,000,000
	Products/Completed Operations Aggregate	\$	2,000,000
	Personal/Advertising Injury	\$	1,000,000
	Each Occurrence	\$	1,000,000
	Fire Damage-Any One Fire	\$	100,000
	Medical Expense-Any One Person	\$	5,000

<b>Deductibles:</b>	Property Damage Deductible Per Occurrence	\$	1,000
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### RATING BASIS

<i>Code</i>	<i>Classification</i>	<i>Basis</i>	<i>Exposures</i>
4212	Local Moving without storage	Payroll	\$24,800

# Fairway Moving Services

## ❖ *Truckers*

**Insurer:** Progressive Insurance Company

**Coverage:** Auto liability exposures experienced by owners and operators of businesses designed to transport the goods of others by land motor vehicles for a fee. Subject to regulations by the Department of Transportation (DOT).

**Limits of Liability:**

**Bodily Injury and Property Damage as Combined Single Limit** \$ 1,000,000

**Medical Payments** \$ 1,000

**Uninsured & Underinsured Motorists** \$ 1,000,000

**Covered Auto Symbol:** 7

### AUTOMOBILE PHYSICAL DAMAGE

**Comprehensive:** Actual Cash Value Basis subject to deductible per occurrence noted on the attached Schedule of Vehicles.

**Collision:** This coverage pays for damages to a company auto which are caused by collision with any object, or upset of the auto. It pays to the policy limit minus the deductible shown on the attached Schedule of Vehicles or to the actual value of the auto.

### VEHICLE SCHEDULE

<i>No</i>	<i>Year</i>	<i>Make</i>	<i>Model</i>	<i>Vin Number</i>	<i>Comp Ded</i>	<i>Coll Ded</i>
001	2001	International	4700 DT 466	1HTSDAALX1H386024	\$1,000	\$1,000

## ❖ *Cargo*

**Insurer:** Harleysville Mutual Insurance Company

**AM Best Rating:** A- XII

**Coverages:** A generic term used in both inland marine and ocean marine insurance to designate the types of insurance available to provide coverage for cargo that is being transported by truck, rail, air, ship or boat.

**Covered Property:**

**Limits:** \$ 250,000 Any One Occurrence

**Deductibles:** \$ 1,000 Any One Occurrence

# Fairway Moving Services

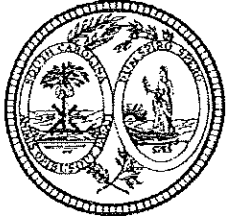
## ❖ *Premium Summary*

	Premium:
General Liability:	\$ 750
Commercial Automobile:	\$ 4,605
Motor Truck Cargo:	\$ 1,500
Total:	\$ 6,855

### **PAYMENT OPTIONS:**

Harleysville Mutual (General Liability & Cargo): Full Pay  
Progressive (Auto): 25% down \$962.60 with 10 installments of \$409.75.

*We have seen an industry wide change of attitude regarding late payments. Our Companies have advised us that in the event payment is not received on or prior to the due date, reinstatement of coverage may not occur.*



Charles L.A. Terreni  
Chief Clerk/Administrator  
Phone: (803) 896-5133  
Fax: (803) 896-5246

## *The Public Service Commission State of South Carolina*

COMMISSIONERS  
G. O'Neal Hamilton, Fifth District  
*Chairman*  
C. Robert Moseley, At-Large  
*Vice Chairman*  
John E. "Butch" Howard, First District  
David A. Wright, Second District  
Randy Mitchell, Third District  
Elizabeth B. "Lib" Fleming, Fourth District  
Mignon L. Clyburn, Sixth District

Docketing Department  
Phone: (803) 896-5100  
Fax: (803) 896-5199

February 27, 2008

TO: Fairway Moving Services  
5063 Westwind Dr  
Myrtle Beach SC 29579

FROM: Janice Schmieding, Docketing Department

### **YOUR APPLICATION IS BEING RETURNED FOR THE FOLLOWING REASON(S):**

- \_\_\_\_\_ Failed to Submit Cover Sheet along with the Application
- \_\_\_\_\_ Failed to indicate Fares and Clarify Number of Passengers (Per Vehicle) on Exhibit C.
- \_\_\_\_\_ Please Clarify Name of Company - If appropriate, **need Articles of Incorporation or Limited Liability Company Documents from the Secretary of State's Office.**
- XXX Failed to complete Description of Equipment (Exhibit D)
- \_\_\_\_\_ Failed to Complete Financial Statement (# 7, Page 3)
- \_\_\_\_\_ Failed to Submit Notarized Applicant Representative's Signature on the Statement of Assets and Liabilities
- \_\_\_\_\_ Need more detail on area to be served, i.e. what counties would you be operating in?
- \_\_\_\_\_ Failed to Submit Exhibit FWA Form along with Notarized Signature
- XXX Insurance Quote – Form Enclosed - Needs to Be Completed and Submitted with the Application.
- \_\_\_\_\_ Other:

SHOULD YOU HAVE ANY QUESTIONS, PLEASE CALL (803) 896-5240.

cc Carole Chauvin, Office of Regulatory Staff (via e-mail)